

## REMARKS

### 1. Allowed Claims

Applicants acknowledge with appreciation the allowance of claims 28-34.

### 2. Objected Claims

Claims 3, 9 and 27 were objected to as being dependent upon a rejected base claim, but were considered to be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. These claims are hereby so rewritten, with claim 9 subject matter being incorporated into claim 1, and are thus now believed to be in allowable form.

### 3. Rejected Claims

#### A. Indefiniteness

Claims 10-16 were rejected under 35 U.S.C. § 112, second paragraph for being indefinite because of the lack of antecedent basis for "the shelf support" recited in claims 10 and 13. These claims are hereby amended to replace the quoted phrase with --the shelf support mounts-- which was properly introduced earlier in claim 10.

#### B. Lack of Novelty

Claims 1-2 and 4-8 were rejected under 35 U.S.C. § 102(b) as being anticipated by Gidseg et al. (U.S. Pat. No. 4,774,740). Claims 10-16 were rejected as anticipated by Sedovic et al. (U.S. Pat. No. 5,370,455). Claims 17 and 20-21 were rejected as anticipated by Traulsen (U.S. Pat. No. 3,797,903). Claims 17-21 were rejected under 35 U.S.C. § 102(e) as anticipated by Cooper et al. (U.S. Pat. No. 6,238,032).

Regarding the rejections to claims 1-2 and 4-8, as mentioned above, independent claim 1 is hereby amended to include the claim 9 subject matter, which was deemed allowable and is now canceled. As such, all claims dependent on claim 1 (claims 2 and 4-8) are now believed to be allowable.

Regarding the rejections to claims 10-16, claim 10 is hereby amended to recite that the door shelf is removed by tilting a --a side-- of the door shelf (a top

side for example) --toward the door-- and then moving it away from the door. This amendment make more clear that the door shelf is dismounted from the door using a tilting action, that is other straight horizontal or vertical motion (or combined horizontal and vertical motion). The refrigerator door module in the Sedovic et al. reference cited in support of the novelty rejection does not, and in fact cannot, tilt or pivot as it is dismounted. Lines 11-14 of column 3 state that "[t]he vertical slot portions 42 are formed to closely fit about the bosses so that the bosses positively but releasably nest within the vertical slot portions...". The technique for mounting a module to the refrigerator door is described at col. 3, lines 23-31. Paraphrasing, the module is inserted horizontally between the liner side walls so that the bosses are received in the horizontal portions of the slots in the module until the bosses align with the vertical portions of the slots and then the module is moved downwardly until the bosses seat. Thus, as can be seen, the mounting arrangement of the present invention is much different than that disclosed in the cited reference, and thus it does not disclose the invention as recited in claim 10. Accordingly, claims 10-16 are believed be allowable.

Regarding the rejections to claims 17-21, claim 17 is hereby amended to recite that the shelf is --removed from the rests by pivoting the shelf edge adjacent the recess-- upward about --an axis extending in a direction between the back wall and the face of the cabinet--. This language better distinguishes the claimed invention from the prior art by defining essentially that the shelves are removed by pivoting them from side to side rather than front to back (the front being where the access opening to the cabinet is located) as in the cited references. The recess in the side wall adjacent one of the shelf rests makes this side to side pivoting possible. Neither this recess or the side to side pivoting is disclosed in the cited references. This feature makes the refrigeration unit of the present invention more user friendly in that a shelf can be removed or repositioned without needing to be slid full-width out of the door opening, as is normally the case. This means that the refrigerator door need not be swung clear (say past 90°) of the opening to

remove/adjust a shelf, which is advantageous when a side of the refrigerator abuts a wall. The dished recess also allows the shelf to be removed with less tilt so that less space is needed above and below the shelf being removed. Therefore, applicants respectfully submit that the cited references do not disclose the present invention, and claims 17-21 are thus believed to be allowable.

C. Obviousness

Claims 22-26 were separately rejected under 35 U.S.C. § 103(a) as being obvious in view of Knoy, Jr. (U.S. Pat. No. 6,220,437) and as being obvious in view of Neal (U.S. Pat. No. 6,105,233).

In response, independent claim 22 is hereby amended to include (generally) the subject matter of claim 26, which is now canceled. Specifically, amended claim 22 (and thus claims 23-25) now recite that the door shelf has a --curved profile-- extending into the storage and the shelf has a visual indicator which --defines a curve approximating the profile of the door shelf--.

Neither of the cited references teach a refrigerator with a shelf that has a curved visual indication of the position inside the refrigerator cabinet of a shelf with the curved profile when the door is closed. This was clearly not contemplated by either of the cited references, alone or in combination. For example, the Knoy, Jr. et al. reference simply teaches a series of horizontal lines with some text (see Figs. 5 and 6). The Examiner notes that the inventors indicate that the indicia can vary depending upon the end use application. However, this gives no motivation to associate the design on the stationary shelf with the profile of the door shelf, especially one that has a curved profile. All that this patent suggests is that the design could be on a horizontal refrigerator shelf and that the design could vary depending on application. This is not enough to arrive at the claimed invention.

The Neal reference is even less suggestive of the claimed invention. This reference simply teaches a stationary shelf with parallel lines that are closer in spacing near the front of the cabinet. The purpose for the markings professed by the inventors is to make the glass shelf surface more visible to consumers (see col.

7, lines 60-63). Nowhere does this reference teach associating markings to any interior object on the door, let alone a door shelf with a curved profile.

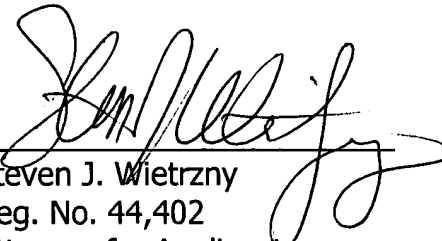
Accordingly, amended independent claim 22 (and thus claims 23-25) are believed to be non-obvious over the prior art and in allowable form.

4. Fees

The amendments made herein have decreased the number of claims pending from 34 to 32 and have increased the number independent claims from 5 to 7. The Commissioner is hereby authorized to charge the \$172.00 fee (2 @ \$86) for the additional two independent claims, along with any other fees deemed necessary, to Deposit Account 17-0055.

Respectfully submitted,

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